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Notice of Allowability

Application No.

09/915,131

Examiner

Talivaldis Ivars Smits

Applicant(s)

ROSE, JEFF ALAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Pre-Appeal Brief Request for Review, filed 5/3/2007.
2. ☒ The allowed claim(s) is/are 1-3, 6-15, 18-24 and 27-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. In response to the Final Rejection of 2/8/2007 and the Advisory Action of 4/11/2007, applicant filed a Pre-Appeal Brief Request for Review, entered 5/3/2007. This has led to withdrawal of the finality, and, with an Examiner's Amendment to the Title and Abstract, next, has put the application in condition for allowance, for reasons given below.

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Title:

Change the Title of the invention to **—BIOS WHICH TRANSLATES PRE-BOOT
DISPLAY INFORMATION INTO SERIAL DATA FOR PROVIDING SYNTHESIZED
SPEECH OUTPUT BY DETECTED SPEECH SYNTHESIZER—**

In the Abstract:

In line 3, after "system to", insert **–translate pre-boot–**, and delete the "and" after "information";

In line 4, replace "cause the computer system" with **–so as–**, and after "or more" insert **–serial data–**.

Allowable Subject Matter

2. Claims 1-3, 6-15, 18-24, and 27-29 are allowed. The following is an examiner's statement of reasons for allowance:.

The independent claims 1, 12, and 21 are allowed because they recite a BIOS which, having detected the existence of a serial speech synthesizer associated with a computer system, translates pre-boot display information into a data pattern output via a serial port to said speech synthesizer coupled to the serial port, which synthesizer reproduces this data pattern as synthesized speech.

The prior art of record teaching screen-readers, Levine et al. and Speakup, send the display information directly to the speech synthesizer, without the BIOS having first translated it into suitable format for speech synthesis.

Dependent claims 2-3, 6-11, 13-15, 18-20, 22-24, and 27-29 are allowed because they further limit their respective independent claims.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: "Playing it by ear", "The Speakup User's Guide", "Making Linux Accessible for the Visually Impaired with Speakup", published after the effective filing date of the invention, discuss screen readers. Janina Sajka "Speakup and ViaVoice" indicates that the pre-boot screen-reader problem has not been solved as of its its publication date.

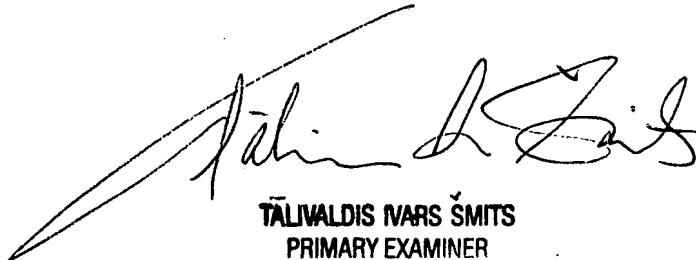
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Talivaldis Ivars Smits whose telephone number is 571-272-7628. The examiner can normally be reached on 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/19/2007



TĀLIVALDIS NARS ŠMITS
PRIMARY EXAMINER